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ABSTRACT

Update VI provides an overview of federal and state legislation regarding minimal competency requirements for graduation and promotion as well as state department of education activities and local district programs in this area, from 1975 through June 1, 1977. Twenty-four states had introduced 67 bills related to this topic up to this date. While state interest remains high, the idea is also attracting attention at the federal level. House of Representatives Bills 6088 and 7116 require state education agencies to establish basic standards of educational proficiency for high school graduation. These bills amend the Elementary and Secondary Education Act of 1965 and would have state agencies create proficiency high school graduation plans prior to receiving funds under the Act. House of Representatives Bill 6088 is appended. (Author/MV)

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UPDATE VI: MINIMAL COMPETENCY TESTING

* Federal Legislation
* State Legislation
* State Board of Education Rulings
* State Department of Education Activity
* Local District Programs

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IM006 410

INTRODUCTION

Minimal competency testing for high school graduation and grade-to-grade promotion continues to draw legislative interest. By June 1st of the '77 legislative season, 24 states had introduced 67 bills related to this topic. While state interest remains brisk--the idea has also caught on at the federal level. Congressman Ronald M. Mottl (D) representing the 23rd District in Ohio has included the idea in H.R. 6088 and H.R. 7116 requiring state education agencies to establish basic standards of educational proficiency for high school graduation. The bill amends the Elementary and Secondary Act of 1965 and would have state agencies create proficiency high school graduation plans prior to receiving funds under the Act.

A summary of state activity to present looks like this:

Legislation Enacted 1975 - 1976	State Bd. of Education Rulings 1975 - 1976	Legislation Pending and Failed 1977
1. California	1. Arizona	1. Alabama
2. Colorado	2. Georgia	2. Arizona
3. Florida	3. Delaware	3. Arkansas
4. Maryland	4. Michigan	4. California
5. New Jersey	5. Missouri	5. Florida
6. Virginia	6. Nebraska	6. Illinois
7. Washington	7. New York	7. Iowa
8. Louisiana	8. Oregon (1972)	8. Kansas
	9. Vermont	9. Louisiana
	10. Rhode Island	10. Maine
		11. Massachusetts
		12. Minnesota
1977	1977	13. Nevada
1. Maryland	1. Idaho	14. New Hampshire
2. Nevada	2. Kentucky	15. North Carolina
	3. Maryland	16. Ohio
	4. New Hampshire	17. Pennsylvania
	5. New Mexico	18. South Carolina
	6. Oklahoma	19. Tennessee
		20. Texas
		21. Washington

The Education Commission of the States will continue to monitor all aspects of the minimal competency issue. Any information our readers can provide us on legislative, state department of education or local district activity will be most useful.

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MINIMAL COMPETENCY TESTING

STATE ACTIVITY

- Federal Legislation -- Pending
- State Legislation -- Enacted and Failed
- State Board of Education Rulings
- State Department of Education Activity
- Local District Activity (incomplete listing)

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ALABAMA - 1977, Legislation (Failed):

SB 79 Would have local school boards develop standards of proficiency in order to evaluate student progress in the performance of academic and basic skills. The state department of education is to assist local boards by developing examples of minimal academic standards for high school graduation including performance indicators. Implementation deadline for local districts is June 1, 1978. Reported out of committee, died on calendar.

- 1977, State Department of Education:

The Graduation Requirements Task Force -- a 24-person task force appointed by the state department of education and chaired by Dr. Frank Schneider, local district principal, made the following recommendations to the state board of education in March of 1977: In order to receive a high school diploma, students should be able to pass a basic skills examination. This examination is to be given as early as the ninth grade with provisions for re-taking the test each year. Students not passing the examination would receive a Certificate of Attendance rather than a high school diploma. The task force also recommended that the state department of education develop general guidelines and that local districts develop the appropriate standards. The state superintendent of education has appointed a committee to begin work on this recommendation.

The task force recommendation is expected to be acted upon by the state board of education in its June 1977 meeting.

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ALASKA - 1977, State Department of Education:

New high school graduation requirements adopted by the Alaska Department of Education permit local districts to graduate high school students on the basis of competency. To date no districts have adopted a total system of competency based high school graduation. Local districts working on this problem are working on an identification of levels of competency -- these have been converted back to Carnegie Units or time requirements according to the state department of education.

ALASKA - 1977, State Department of Education (continued):

A State Department of Education Steering Committee on Small Secondary Schools is exploring the whole issue of competency based high school graduation.

Alaska's state wide assessment program, testing in grades 4 and 8, has not been used for developing competency high school graduation requirements or grade promotion.

- 1977, Local District:

Kodiac Island Borough School District
North Slope Borough School District
Southwest Regional Attendance Area

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ARIZONA - 1975, State Department of Education:

Effective January 1, 1976, school districts are required to have students receiving the standard eighth grade certificate able to read, write and compute at the sixth-grade level. High school students must demonstrate an ability to read, write and compute at the ninth-grade level.

- 1976, Legislation (Failed):

SB 1138 (passed senate, died in house committee) This bill would have restricted current state board ruling by not allowing the state uniform achievement evaluation to be used to establish minimum achievement levels.

- 1977, Legislation (Failed):

H 2160 Would require the state school superintendent and the state board of education to develop a statewide standard testing program for grades 1-12. The results of the tests would be correlated to individual pupils' class sizes, teachers, teachers' experience and salaries. The state board of education would also be mandated to divide class time of 2nd - 6th grades into "verbal and quantitative segments" and further stipulates there would be no unauthorized segment skipping.

The bill also contained an "early out" provision by allowing any person (age 18 or older was deleted) to take the General Educational Development (GED) tests and receive a high school certificate of equivalency if a passing score was achieved.

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ARKANSAS - 1977, Legislation (Failed):

HB 609 Educational Assessment. A broad statewide and school district testing bill. It was heavily amended by the house education committee but kept the following provisions:

> "State department of education shall by June 1, 1978 develop minimum performance standards for graduation from secondary schools and minimum performance educational goals for various grades and subject areas within the public schools."

ARKANSAS - 1977, Legislation (Failed) (continued):

The "minimum performance educational goals" are to include the basic skill areas of reading, writing and mathematics.

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CALIFORNIA - 1975-1976, Legislation (Enacted):

SB 1112 of 1972 and SB 1243 (providing for funding) of 1975 The two acts combined provide for the California High School Proficiency Test. Sixteen- and 17-year-olds, upon successful completion of the test, may be awarded a proficiency certificate legally equivalent to a high school diploma. They may leave high school if they pass the test and receive parent permission. The test covers the process areas of reading and computation and the content areas of consumer economics and mathematics.

SB 1502, Ch. 315 (1976) will change the existing "early out" minimal competency test program by making it available to citizens over the age of 18. The effects of this law on the existing GED high school equivalency program are not clear.

AB 3408, Ch. 856 (1976) requires districts to establish standards of proficiency in the basic skill areas, including reading, writing and computation. It also provides that students be tested at least once during grade 7 through 9 and twice between grades 10 and 11. Parent-student-principal-teacher conferences and remedial classes are to be arranged for those students who fail to demonstrate minimal proficiency. No student can receive a high school diploma after June 1980 unless he or she passes the proficiency test.

AB 2725, Ch. 473 (1976) requires that examples of minimal academic standards for high school graduation be prepared and distributed by the California State Board of Education. This is to include criteria utilized by the department of education in developing standards for competency in basic skills for the high school proficiency exam. The effective date is January 1, 1977.

- 1976, Legislation (Failed):

SB 1731 The measure encompasses recommendations made by the RISE (Reform in Intermediate and Secondary Education) Commission. One of the provisions of the bill is a requirement for the testing of minimal competency in basic skills and other areas.

AB 2559 This bill prohibits the admission or promotion of an elementary grade pupil to any particular grade unless reading ability is at least equal to that prescribed for pupils in the next lower grade. Ability is to be determined in a manner prescribed by the state board of education.

ACR 195 Requests the state department of education to take necessary measures to ensure that no student will be passed to the second grade without the ability to know and write the alphabet, know basic language sounds, and pass a standard reading test developed by the department.

- 1977, Legislation (Pending):

AB 357 Would require elementary school districts by June 1, 1979 to adopt standards of proficiency in the basic skills. This bill would have students tested at least twice during the fourth through sixth grades and at least once from sixth through

CALIFORNIA - 1977, Legislation (Pending) (continued):

eighth grades. Conferences between pupil/parent/principal/teachers would be required if the pupil falls short of the standards.

- 1976, Local District:

Los Angeles Unified School District, Beginning in June of 1979, high school seniors will be required to pass the senior high assessment of reading proficiency (SHARP) test before graduation. Students will have up to four opportunities to pass the test with remedial instruction available to those who do not pass the test.

San Jose USD - Working on minimal competency for intermediate schools.

Norwalk-Miranda, Whittier-Union, Kern Union HSD, Newport-Mesa USD - These districts are working on programs to establish competency graduation requirements.

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COLORADO - 1975, Legislation (Enacted):

SB 180 of 1975 (C.R.S. 22-32-109.5). The Act stipulates that if a local board of education imposes any special proficiency test for graduation from the 12th grade beyond the regular requirements for satisfactory completion of the courses and hours prescribed for graduation, the results of such tests shall be used by school districts to design regular or special classes to meet the needs of all children as indicated by overall test results. If a school board decides to impose such proficiency tests, such tests shall be given at least twice during each school year with initial testing to take place in the ninth grade. Any child who does not satisfactorily fulfill the requirements of special proficiency tests imposed under the provisions of the act "shall be provided with remedial or tutorial services during the school day in the subject area in which the test indicates deficiences for graduation purposes. Such child shall be provided with these services from the time of the initital testing until such time as the results of the special proficiency test are satisfactory. Parents of children not satisfactorily fulfilling the requirements of a special proficiency test shall be provided with all special proficiency test scores for their child a minimum of once each semester"

- 1977, Local District:

The Denver Public Schools have developed their own minimum competency test for high school graduation. Since 1962 they have tested more than 40,000 students. The test contains subsections on mathematics, spelling, language and reading. Remedial classes are provided for those who do not pass the test.

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CONNECTICUT - 1976, Legislation (Enacted):

Sub HB 5839 This proposal would have required students to take a proficiency exam prior to graduation from high school. Those students passing the examination would receive special notice to that effect on their high school diploma. The bill made no provisions for early exit but sought simply to establish uniform state standards of performance that would serve as minimum targets for secondary school education

CONNECTICUT - 1976, Legislation (Enacted) (continued):

and improve the validity of the diploma issued to those successfully tested. (Note: This law was not implemented because Sec. 4 making implementation contingent upon finding at least $50,000 in federal or private funds was not met.)

- 1976, Legislation (Failed):

HB 5836 This measure would have allowed high school graduates and nongraduates to receive a state certificate of achievement. It provided for exemption from the compulsory attendance age of 16, directed the state department of education to establish standards of competency in basic skills and a means of testing such competency, and would have allowed both high school graduates and nongraduates to obtain a state certificate of achievement upon passing a state-administered proficiency examination. The bill also protected the basic educational entitlement--a flat grant based on Average Daily Members (ADM)--to the extent that the amount of such state aid would not reflect the loss of up to one percent of the enrollment that might leave school after passing the examination.

HB 5837 Concerning early exit from high school, the bill was similar in most provisions to HB 5836 but would have allowed students who passed the state-administered proficiency examination to complete high school with an equivalent diploma prior to the end of their senior year. The bill would have provided for exit from high school in either the 10th, 11th or 12th grade, depending on the length of time required to master minimum competencies sufficient to pass the examination.

- 1977, State Department of Education:

The state board of education has appointed a broad-ranged committee to study and make recommendations on the development of a high school equivalent competency based certificate. Final recommendations of this committee to the state board includes a proposal to use the General Educational Development (GED) test for anyone age 16 or older wishing to receive a high school diploma other than through the regular high school graduation process. The committee also recommends that a secure form of the Adult Performance Level (APL) Survey also be given with the GED test.

The state board of education will consider this proposal at its June and July monthly meetings.

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DELAWARE - 1976-77, State Department of Education:

In December of 1976, the state board of education approved a resolution calling for the state department of education to develop a list of Level II competencies to be used as an additional requirement for high school graduation. The first draft of these performance indicators along with suggested implementation procedures was sent to local school districts in the spring of 1977. Local districts returned their comments and suggestions to the state department of education by June 1, 1977 with the state department of education revised plan due back before the state board in July. Local district reaction varied from postponing the deadline (Program in place for the fall of 1981) for one year to developing a program assessing Level I competencies (reading, writing and mathematics) rather than Level II competencies (the application of Level I competencies).

DELAWARE - 1976-1977, State Department of Education (continued):

A commercial testing agency has been awarded a contract to develop a baseline testing instrument to be given in the spring of 1978 to 11th graders.

To date, the statewide testing program, administered to grades 1, 4 and 8 has not been associated with the competency high school graduation requirement.

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FLORIDA - 1975, Legislation (Enacted):

CSSB 340 of 1975 (F.S. 229.814) Provisionally lowers the age of compulsory school attendance from 16 to 14 years. The Act provides that any student who is at least 16 years old may be permitted to take a high school equivalency diploma examination; and that students who are at least 14 and have the approval of a parent or guardian also may be permitted to take the examination. Any student who attains satisfactory performance on the examination shall be awarded a high school equivalency diploma and shall be exempted from the compulsory school attendance requirements. NOTE: This law was amended in 1976 by Section IX of CSSB 107 (see below). This amendment removed age requirements and put the emphasis on reform of the total secondary school system and how students interface with their postsecondary education programs. Equivalency examinations are still included in the law.

- 1976, Legislation (Enacted):

CSSB 107 of 1976 (Ch. 76.226) This is an extensive law modifying many sections of the existing code. Accountability, comprehensive planning by state departments of education and local districts, equivalency examinations, subject area examinations and grade-to-grade promotion are all affected. The sections which specifically apply to minimal competency testing are:

Section 1. Sets forth a short title, "The Educational Accountability Act of 1976," and legislative intent, which includes a requirement that the state system of public education give students at least the minimum skills necessary to function and survive in today's society.

Section 6. Substantially rewords the statute authorizing the statewide testing program to clarify legislative intent. The program will test students' basic skills in grades 3, 5, 8 and 11 and the data will be used to improve the state system of education by identifying needs and assessing how well districts and schools are meeting minimum standards--how well education programs are equipping students with those minimum skills necessary to function and survive in today's society.

The commissioner of education is required to monitor the results of the statewide testing and provide technical assistance to those districts where deficiencies are identified.

Section 9. Amends F. S. 229.814, to provide for subject area examinations in addition to the high school equivalency examination which shall be made available to eligible students. The bill further amends this section to require school districts and community colleges to plan cooperatively to provide advanced instruction to students who demonstrate readiness for such activities.

FLORIDA - 1976, Legislation (Enacted):

Section 13. Amends F. S. 230. 2311, (The Basic Skills Act) to provide that basic skills must be tied to performance and ability to survive in today's society--"functional literacy."

Section 15. Requires programs of pupil progression based upon performance by July 1, 1977 (designed to eliminate social promotion).

Such programs must be based upon local goals and objectives. More emphasis must be placed on performance in basic skills (on statewide tests) before students may progress from grades 3, 5, 8 and 11. Other factors for progression must be set by school board rule.

By the 1978-79 school year, there must be established district standards for high school graduation that are to include: (1) mastery of basic skills and satisfactory performance in functional literacy as designated by the state; and (2) completion of the minimum number of credits required by the district school board. Each district is required to provide remediation for students unable to meet such standards, and to provide for the awarding of differentiated diplomas to correspond with the varying achievement levels and competencies of graduates.

- 1976, Legislation (Failed):

HB 2455 (died in committee) Would have repealed CSSB 340 of 1975.

HB 2659 At one time in the 1976 session, the bill was similar to an early version of SB 107 which passed as CSSB 107 (Ch. 76-223). See Legislation Enacted.

HB 2877 Functional literacy exam/11th grade. Requires 11th grade students to pass functional literacy examination in reading, writing and mathematics prior to high school graduation, with appropriate exams at the 5th grade and, for promotion to the next grade at the 3rd and 8th grades, beginning in September, 1977. (Similary to HB 2659).

- 1977, Legislation (Pending):

HB 203 - Would permit school districts to conduct dismissal hearings for instructional personnel for failure to teach students to reach state minimum performance standards.

SB 600 Same as HB 203.

CSSB 338 (similar to CSHB 1076 and 1095) Delays by two years, until 1980-81 school year, requirement that district school boards establish graduation standards with different kinds of diplomas.

- 1977, State Department of Education:

Implementation of CSSB 107 of 1976 by the state department of education has taken a variety of directions. A quick summary looks like this:

FLORIDA - 1977, State Department of Education (continued):

Early Exit from High School - This program using the General Educational Development (GED) tests will go into use in school districts during the fall of 1977. The Florida Department of Education is using the GED test battery under a special arrangement with the American Council on Education.

Subject AREA Examinations - This program will go into use in the fall of 1977, using a mixture of commercially developed and local district prepared tests. Students, depending on local district rules, will be able to test out of or around certain courses.

Grade-to-Grade Promotion - The statewide basic skills test administered at grades 3, 5, 8 and 11 will serve as a screening device controlling passage to the next grade level.

High School Graduation - For those students choosing to graduate with a regular high school diploma they must pass the functional literacy examination. This test was developed under contract by the Educational Testing Service and was pre-tested in five counties in March of 1977. Prior to graduation, 11th graders must also pass the basic skills assessment test or receive special district dispension.

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GEORGIA - 1977, State Department of Education:

Student Assessment - As part of a long-range plan to fund local school districts through a program of comprehensive planning, the department of education is working with a number of new programs, one of which involves student assessment. Tests in reading, math, social studies and science for grades 4 and 8 have been administered for two years. The tests for grade 10 are nearing completion and the 12th grade exit test will be completed during the 1977-78 school year. In 1976 the state board of education called for a study to determine if the 4th grade reading test could be used for creating a standard for promotion to fifth grade. This study, being conducted by the Educational Testing Service, will most probably be reported to the state board of education during the summer 1977.

High School Graduation - In November of 1976, the state board of education adopted a resolution calling for a study to investigate the possibility of changing high school graduation requirements so as to include minimal proficiency standards for the life role skills, including specific recommendations for the students as the learner, the individual, the citizen, the consumer and the producer. The recommendations are modeled after the Oregon high school graduation requirements.

After a series of planning and invitational conferences, nine school districts have been selected by the state department of education to work on pilot aspects of restructuring the high school graduation requirements. The 1977 General Assembly appropriated $250,000 to assist with this process.

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HAWAII - 1977, Legislation (Enacted):

A legislative resolution has been passed calling for the state department of education to conduct a study of competency based high school graduation programs. The study is to be completed by the end of 1977.

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IDAHO - 1976, Legislation (Failed):

SB 1390 This bill would have directed the state superintendent of public instruction to develop a testing program covering the basic skill areas. The test results were to be reported to the legislature.

- 1977, State Board of Education:

In February 1977, the Idaho State Board of Education adopted new graduation requirements and a district-option proficiency program that measures competency in reading, writing, arithmetic and spelling prior to high school graduation. Participating districts will be required to give the test beginning in the ninth grade and to provide remedial work for the students not passing the standards. Students will graduate with a diploma bearing the state board of education seal. Students who are not in participating districts will receive certificates of attendance or a plain diploma.

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ILLINOIS - 1976, Legislation (Failed):

SB 1574 Would require the state board of education to develop basic reading and writing proficiency tests and prescribe standards for persons seeking a high school diploma.

SB 1575 Would require the board of higher education to establish admission standards and require students to demonstrate their reading and writing proficiency prior to enrolling in a public college, university or community college.

- 1977, Legislation (Failed):

HB 1364 Requires the successful passage of reading, writing and mathematics proficiency tests as a condition for high school graduation. (Placed on interim study calendar.)

- 1977, Legislation (Failed):

H.B. 486, HB 1745 and SB 238 All contained provisions for a competency testing program as a prerequisite for high school graduation. All bills are presumed dead in committee. It is anticipated that the sponsor of SB 238 will prepare a resolution calling for the Illinois Department of Public Instruction to make a study of the testing currently being conducted by Illinois school districts.

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INDIANA - 1977, Legislative Action:

The Senate Education Committee will conduct an interim study of the educational testing of school students and competency requirements for secondary school students.

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IOWA - 1977, Legislation (Pending):

SF 252 Would require all students to pass tests in reading, writing and mathematics in order to graduate. (Passed out of Senate Education Committee, placed on Senate calendar.)

House File 590 This omnibus bill contains sections on foreign language requirements, approval standards, district reorganization, gifted and talented pilot programs and a section on proficiency standards for high school graduation. (Passed out of the House Education Committee to the House calendar and then to the "Sifting Committee".)

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KANSAS - 1976, Legislation (Failed):

SB 406 The measure would have required high school students to take a general examination as a requirement for graduation.

- 1977, Legislation (Failed):

HB 2139 Would require local boards of education to adopt standards and prescribe an examination for proficiency in basic educational skills including, but not limited to, "reading comprehension, writing and computation." After June 30, 1981, the state board of education will certify that high school graduates have met the state "basic educational skills" standards. Students not meeting the standards will be certified as having completed attendance in a four year course of study.

Prior to July 1, 1978, the state board of education in cooperation with the state board of regents shall determine and establish "standards of proficiency in academic skills" (also a standardized examination) for students preparing for admission to state colleges and universities. Note: House Education Committee conducted a one-day hearing on the bill but did not report it out of committee.

SB 268 The state board of education would be required prior to July of 1978 to adopt standards of proficiency in the basic skills (reading comprehension, writing and computation) for graduation from high school. The state will prescribe the standardized examination and set the standards of proficiency, local boards will administer the test and certify to the state those students who have passed the test.

The proficiency examination will be administered twice each year with all students allowed to take the test each time it is administered. Note: Bill died in committee

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KENTUCKY - 1977, State Department of Education:

In December of 1976 the state board of education instructed the state department of education to make a study of competency based education and minimal competency testing for high school graduation and grade promotion.

A four-year plan of action was submitted to the state board of education and approved in the spring of 1977. The plan calls for the development of criterion-referenced tests in reading, writing and arithmetic for grades 3, 5, 8 and 11. A series of statewide task force groups are now being appointed.

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LOUISIANA - 1976, Legislation (Enacted):

HB 810, Act 709 An accountability and assessment law contains a section requiring the establishment of reasonable minimum levels of pupil proficiency in the basic communication and computational skill areas and the administration of uniform system of criterion-referenced tests. High school graduation and grade promotion are not mentioned.

- 1977, Legislation (Pending):

HB 275 This bill revises Act 709, passed in 1976. It calls for the state department of education to have responsibility for student assessment in grades 4, 8 and 11 rather than all grade levels. Local districts would be given the responsibility for testing students at other grade levels.

- 1977, State Department of Education:

After Act 709 was passed in 1976, the state department of education appointed a 100-person committee to study implementation procedures. This committee made recommendations to the joint legislative committee on education which resulted in the drafting of HB 275.

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MAINE - 1977, Legislation (Pending):

LD 734 Basic Attainment of Skills in Children Act would have local school districts be responsible for the establishment of basic skills and the incorporation of this element along with the successful completion of courses and teacher recommendations as a requirement for high school graduation.

The Commissioner of Education and Cultural Services is to prepare for such a program by conducting a series of statewide meetings to obtain a consensus of what Maine citizens feel "should be a partial condition for graduation from secondary school." Based on this consensus, the Commissioner is to prepare a test to be administered during the senior year of high school. (Note: This bill was re-drafted during the legislative session and remains alive as LD 1810.)

LD 1810 An Act to establish an assessment of student performance in the basic skills. This bill calls for the state board of education and the Commissioner of Education to conduct a public survey and hearing for citizens to express

LD 1810 (continued) their expectations for high school education in the state. The state department of education would also have responsibility to administer a basic skills test to all high school juniors prior to January of 1978. This test is to be used for baseline data and be reported back to the legislature.

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MARYLAND - 1976, Legislation (Enacted):

HB 1433 (M.A.C. Art. 77, Sec. 980) This new section requires the state board of education to prescribe progressively advanced minimum reading levels for grades two through 12; and, further provides that pupil may not enter grades three through eight until it has been determined that he has met the minimum level for the previous grade, with certain exemptions.

- 1976, Legislation (Failed):

SJR 64 The proposal would have requested the state board of education to require a minimum level of proficiency in basic skill areas as a prerequisite to high school graduation.

- 1977, Legislation (Enacted):

HB 1462 (Ch. 559) Effective July 1, 1977, this Act provides that:

> "The State Board of Education shall prescribe for each grade two through twelve a minimum level of reading ability which shall progressively rise with each succeeding grade. If a local school board, based upon local assessment of student progress and in conjunction with the Maryland accountability assessment program, determines that a student, in grades (two through seven) THREE, SEVEN, AND NINE THROUGH ELEVEN, has not met EITHER A MINIMUM GRADE LEVEL COMPETENCY OR the minimum reading level as prescribed by the State Board of Education for the previous grade, the student shall be either retained in the current grade or enrolled in an appropriate reading assistance program AS PART OF HIS OR HER INSTRUCTIONAL PROGRAM. These provisions may not be responsible solely for withholding grade advancement more than once in grades two through seven. (Pupils who are enrolled in special reading assistance programs, or who are performing up to their reading capacity as determined by guidelines adopted by local school boards in accordance with State bylaws, or who have a physical or mental handicap which affects his or her ability to read, are exempt.) ALL STUDENTS EXCEPT THE MODERATE AND THE SEVERE AND PROFOUND INTELLECTUALLY LIMITED IN GRADES THREE, SEVEN, AND NINE THROUGH ELEVEN SHALL BE INCLUDED."

- 1977, State Department of Education:

In January of 1977, State Superintendent David W. Hornbeck presented a plan to the state board of education called "Project Basic." The plan approved by the board calls for the setting of new standards for minimal competencies in "five areas of human development" by 1982. These standards will apply to high school graduation.

MARYLAND - 1977, State Department of Education (continued):

At the present time, staff for "Project Basic" is being assembled and a promotional campaign explaining the program to citizens and school personnel is being carried out. The staff will be assigned the task of combining the state assessment program (survival reading test for grades 6, 9 and 12) and the implementation of newly enacted Ch. 559.

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MASSACHUSETTS - 1977, Legislation (Pending and Failed):

H. 3284 The state board of education is to develop examinations for testing competency in the areas of mathematics, social studies, science, English/literature, language and business. The tests are to be reviewed each year and administered at the end of ninth, tenth and eleventh grades. The state board of education is to establish passing scores for each test and determine standards for a high school diploma issued by the state. (Note: dead in committee.)

Several other bills containing provisions for testing in the basic skill areas were introduced. Full text copies of these bills were not in hand as this report was prepared--a more complete summary will be made in the next "Update." Status and bill numbers are:

H. 4600 - dead
H. 5658 - re-drafted into H. 5949
H. 5905 - (study), dead
H. 822 - dead
H. 2136 - re-drafted into H. 5949
H. 5949 - Alive in House Ways & Means Committee

- 1977, State Department of Education:

The state department of education continues its study of high school competencies for the state board of education.

The policy committee in an interim report, June 1977, recommended to the state board of education that they consider mandating and testing student competencies in the areas of communication and computation. Several state level task force groups are working on details of this recommendation. The areas of career information, social responsibility, environment and culture are still under consideration.

The state department of education anticipates the final recommendations, including feedback from a series of statewide hearings, will be made in June of 1978.

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MICHIGAN - 1976, Legislation (Failed):

HB 6379 Competency examinations for basic high school curriculum would be required by this measure. Certificates would be granted.

SB 1608 A student would be prohibited from receiving a high school diploma unless a comprehensive examination were passed. The test would be prescribed the state

MICHIGAN - 1976, Legislation (Failed) (continued):

SB 1608 (continued) state department of education and would reflect a level of reading proficiency appropriate for a high school graduate.

- 1977, State Department of Education:

The Michigan Educational Assessment Program tests minimal performance objectives in reading and mathematics at grades 4 and 7 with a recent addition of a test for grade 10. The results of the tests are reported on an individual, class, school district and state bases. Grade promotion is not the intended purpose of these tests. Also under consideration is a 10th grade basic skills test.

The Michigan State Board of Education is considering the adoption of a 12th grade minimal competency test covering life role competencies in four areas: (a) personal, family and money, (b) civic and social responsibilities, (c) aesthetic and humanistic, and (d) employment.

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MINNESOTA - 1977, Legislation (Pending):

HF 44 Provides that the Commissioner of Education, prior to June 20, 1978, shall establish desirable minimum standards of reading achievement for pupils completing grades 3, 6, 9 and 12. The bill also makes an appropriation to the state department of education for the development and dissemination of tests and for teachers and consultants.

HF 118 Provides for a statewide program of assessment of minimal competency in reading, math, language arts and other general subject areas. It would also provide for a program of remedial aid for the 25 percent of the students who have the greatest need.

HF 1641 (summary not available)

(NOTE: The three above house bills were assigned to the minimal standards sub-committee of the House Education Committee. An interim study by this sub-committee will be conducted during the summer of 1977.)

SF 862 This bill would have permitted students passing the General Educational Development (GED) test to be issued a competency certificate. (NOTE: This bill was last assigned to the Finance Committee, status unknown. A more complete summary will appear in the next "Update.")

- 1977, State Department of Education:

The state board of education in 1975 had the state department of education establish a task force to make recommendations on competency based testing in the basic skill areas. Preliminary recommendations have been made to the state board - no final action has been taken.

- 1977, Local District:

The St. Paul open school requires students, prior to graduation, to demonstrate proficiency in the areas of: consumer awareness, cultural awareness, information

MINNESOTA - 1977, Local District:

finding, community involvement, personal skills and career awareness. Students are expected to use these skills in a practical experience application exercise.

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MISSISSIPPI - 1977, Legislation (Failed):

HB 952 Test students at various grade levels (died in committee).

SB 2295 Student achievement testing (died in committee).

SB 2423 Establish high school proficiency examination (died in committee)
(NOTE: More information on these bills will be included in the next "Update.")

- 1977, State Department of Education:

The state department of education is studying the issue of statewide testing for graduation purposes.

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MISSOURI - 1977, State Department of Education:

In 1976 the state board of education requested that the state department of education develop a test to measure the application of basic skills in the areas of reading, mathematics, and government/economics. In the spring of 1977 the department of education pilot-tested the Basic Education Skills Test (BEST) at grades 8,10, 12 in 51 of the state's 450 school districts. The test consists of 13 objectives in each of the three subject areas with three test items per objective. The BEST instrument will be copyrighted the department of education.

In the 1977-78 school year, local districts may voluntarily use the test in grades 8 and above. In the 1978-79 year, the test will be mandated for all eighth graders.

The state board has not established graduation or grade promotion standards for the test and is not expected to do so in the near future.

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NEBRASKA - 1977, State Department of Education:

Beginning in 1975 the state department of education has required local school districts to establish minimal performance levels in reading, writing and mathematics. Testing begins in the 5th grade and continues until mastery is achieved by each student in each skill area.

To assist school districts the department of education has developed the Nebraska Assessment Battery of Essential Learning Skills (N-ABELS). Districts using the test agree to use it for at least two years on a continuing basis in order to identify students needing remedial assistance. The test is not to be used for

NEBRASKA - 1977, State Department of Education (continued):

grade retention or promotion.

The state department of education is currently contemplating a follow-up study on the use of this instrument.

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NEVADA - 1977, Legislation (Enacted):

AB 400 The state board of education is to prescribe a proficiency examination in reading, writing and mathematics which is to be administered at the end of grades 6, 9, and 12. Students may be promoted to the next grade if they fail on examinations but remedial work is to be provided. High school graduation is contingent upon passing the examination.

- 1977, Legislation (Failed):

AB 293 Would require local school boards to administer competency examinations in reading, writing, computation, American History and American Government at the end of grades, 3, 6, 9 and 12. Promotion to the next grade and high school graduation would be contingent on passing the examination.

SB 204 Would require public schools to give competency examinations in reading, writing, computation, American History and American Government at the end of grades 6, 8, 10 and 12. Promotion to the next grade and high school graduation would be contingent on passing the examination.

AB 9 This bill would have the state board of education adopt and distribute to each school district maintaining a middle school, junior high school or high school minimum academic standards for graduation including performance indicators. The standards of proficiency shall include reading comprehension, writing and computation skills. Different standards of proficiency may be adopted for pupils with diagnosed learning disabilities. Local boards shall assess progress at least once during 7th and 9th grade and twice during tenth, twelfth grades. Parent conferences and remedial work must be provided.

SB 324 Periodic comprehensive examinations are to be given at the end of grades 3, 6, 9, 10, 11 and 12 in the subject matter areas of reading, writing, mathematics, American History, American Government, basic economics and basic logic and reasoning. Failure of any examination would bring on remedial work or a repeat of the course or grade. Students would not be promoted to the next grade or graduate unless tests were passed. The state department of education is to prescribe the examination and standards.

SCR 14 Would have the legislative commission study the subject of pupil achievement in public schools. The study may include the following questions:

1. How pupil achievement in Nevada compares with that of other states;
2. Whether pupil achievement in Nevada is significantly lower today than in the past;
3. Whether school curriculum requirements throughout the state are sufficiently comprehensive and whether the standards are sufficiently rigid to ensure that pupils are adequately prepared for work or further education;

NEVADA - 1977, Legislation (Failed)(continued):

4. Whether there is need for the legislature to mandate certain basic curriculum standards;
5. Whether classroom discipline is a serious problem in Nevada schools and, if so, the extent to which it affects pupil achievement;
6. Whether there is a relationship between pupil achievement and pupil-teacher ratios, and whether in Nevada the ratios have reached a critical level.
7. What types of legislative action might be advisable if classroom discipline and pupil-teacher ratios are found to be adversely affecting pupil achievement;
8. Whether minimum competency standards for a high school diploma should be imposed, and if so, whether state-prescribed examinations should be used;
9. If competency examinations should be required, at what level or levels should they be given and what procedure should be followed for those who do not pass; and
10. If diplomas are granted only to pupils who meet minimum competency standards, whether other types of certificates, such as certificates of attendance, should be given to those who do not meet the standards.

- 1977, State Department of Education:

The state department of education has two task forces studying the minimal competency testing issue.

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NEW HAMPSHIRE - 1977, Legislation (Failed):

Seven legislative bills related to minimal competency testing and high school graduation were introduced in the 1977 session. All were killed or sent to the House Education Committee for Interim Study. Further information on these bills will be provided in the next "Update."

- 1977, State Department of Education:

Dr. Robert Brunnelle, Commissioner of Education, has appointed a committee to establish competency guidelines for local school districts to use in assessing student competencies in the communications and mathematics skill areas. The first draft of the competency guidelines for grade 4 have been sent to local districts for reaction. It is expected that the 4th grade guidelines will be ready for pilot consideration in the fall of 1977. The guidelines for grades 8 and 12 are under development.

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NEW JERSEY - 1976, Legislation (Enacted):

A. 1736, Ch. 97 This bill calls for the state to set minimum reading and mathematics standards and for local districts to provide remedial work. As amended and signed by the governor, local districts have the right to set "interim goals" lower than the state goals and to determine whether students are making progress towards these goals. If progress is not evident districts must come up with a variety of solutions, one of which could be remedial work. These "improvement" plans may combine remediation together with diagnosis of students, study of a district's basic curriculum and parent involvement.

- 1977, State Department of Educaton:

In tne 1976-77 school year, the New Jersey Department of Education administered the educational assessment program in the basic skills. This instrument, administered in October of 1976, used the 65% mastery level cut-off score for identifying students needing instructional assistance. Since the number of students identified was quite large, the bottom 20% were judged to be in need of immediate instructional assistance.

Since January of 1977, ten statewide committees have been working on a minimum basic skills test for grades 3, 6, 9 and 11. This test will take the place of the instrument used in the 1976-77 school year. In the spring of 1977, the committees have surveyed various groups (teachers, administrators, board members, students and citizens) to build a list of minimal skills. The Educational Testing Service is under contract to develop an instrument which will be field tested in the fall of 1977.

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NEW MEXICO - 1977, State Department of Education:

Early in 1976, the state superintendent of public instruction appointed a task force to study the basic skills. In the spring of 1977, the state board of education approved the New Mexico Basic Skills Plan. This plan calls for local school districts to conduct minimal competency testing at two difference checkpoints in a student's school career:

> The first of these is an early assessment to be conducted according to a local district plan. A second checkpoint is a 10th grade proficiency test battery which will be mandated for the fall of 1978 in which the graduating class of 1981 will receive a proficiency endorsement on their high school diploma if they have successfully passed the test battery.

This proficiency battery will consist of a version of the Adult Performance Level (APL) test and a writing sample. This test battery was pilot-tested on a sample basis in the spring of 1977 with statewide field testing scheduled for the fall of 1977. Standards have not yet been established for the cut-off scores on the battery.

The state department of education is also working on a series of curriculum guides for the basic skill areas.

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NEW YORK - 1976, State Board of Education:

The board of regents, on May 26, 1976, approved a resolution establishing the passing of basic competency tests in reading and mathematics as a requirement for issuance of a high school diploma, beginning with the graduating class of June 1979. These basic competency tests are criterion-referenced tests designed to measure basic adult skills necessary to function in an adult society. They were pilot tested in 1975 and used on a regular basis in the 1976-77 school year. The tests are first given in the ninth grade and provide a basis for remediation prior to high school graduation. Currently the minimum competency cut-off point is defined as 65% of all items correct on both the mathematics and reading test.

The board of regents has given approval for incorporating three additional tests into the graduation requirements effective in June 1980. The three additional tests would be in the areas of (1) civics and citizenship, (2) practical science, health and drug education, and (3) writing and language skills.

The New York State Department of Education also administers the Regents Diploma Program and the Pupil Evaluation Program (PEP), both of which are related to evaluating student performance in the basic skill areas.

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NORTH CAROLINA - 1977, Legislation (Pending):

S 80 Would require all students to pass a minimal competency test in reading, writing and mathematics before graduating from high school.

S 81 Would require the 1, 2, 3, 6 and 9th grade students to take a statewide standardized test measuring their progress in learning the basic skills.

HB 204 and HB 205 House bills similar to the senate bills were not available for summary as this report was written. More information on these bills will appear in the next "Update."

- 1977, Local Districts:

The Charlotte-Mecklenburg School Board approved the following resolution in March 1977:

RECOMMENDATIONS CONCERNING COMPETENCY EXAMINATIONS AS A GRADUATION REQUIREMENT

1. That the competency testing program be developed in reading and computation skills.

2. That the field testing be conducted this spring and that the data be collected for analysis by the Pupil Assessment Director.

3. That a planned individualized program be developed for those students who areunable to pass the examination. Such a program would include psychological testing, counseling, individual evaluation, and remedial courses related to areas of deficiency.

NORTH CAROLINA - 1977, Local District (continued):

4. That extensive work in other skill areas be built into the junior high school curriculum.

5. That the reading management system which has been instituted for the elementary grades be fully utilized to monitor the skill development of each student. The data from the management system would serve as a guide for planning instruction in skill development.

6. That the Board seek to have the Charlotte-Mecklenburg Plan considered in the development of the statewide plan now under study in the State Legislature and seek to have local representatives appointed to the Competency Test Commission which would function at the state level.

7. That the relationship of the competency examination to the high school diploma not be determined until the field testing data is available and the state Competency Test Commission has made its recommendations. A status report on field testing will be made no later than September 1, 1977.

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NORTH DAKOTA - 1977, Legislation (Failed):

H. 1460 This bill would have prescribed standards for the high school diploma and allowed diplomas to indicate the completion of an optional proficiency test.

H. 1429 Title: A bill to provide accountability for quality education. This bill included rules and regulations for high school diplomas and would have established minimum education skills in mathematics and communications along with a uniform test to measure these skills.

H. 1027 Title: A bill to provide for educational management information with educational accountability capabilities.

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OHIO - 1977, Legislation (Pending):

H.B. 6 This bill would have the state board of education develop a comprehensive achievement examination to be administered to all pupils ingrades 3, 6, 9 and 11 as a prerequisite for promotion to the next grade level. The grade 11 requirement is to be met before a student can graduate from high school.

Note: Hearings on this bill are expected to be held in the summer of 1977. A substitute bill has been drafted.

OKLAHOMA - 1977, State Board of Education:

In the spring of 1977, the Oklahoma Education Council's Committee on Basic Skills and Minimal Competency Testing presented the following recommendations to the state board of education. They were adopted by the this board in April of 1977:

1. That the Oklahoma Education Council request the State Department of Education determine what Oklahoma school districts are presently doing to increase reading readiness and reading skills in K-3 and to report its findings to the Council.

2. That the Council request the State Department of Education to encourage school districts to strive for small class groups and longer time periods during the school day for teaching basic skills.

3. Many groups and individuals have expressed interest in knowing the achievement levels of students in Oklahoma's public schools. Minimum competency testing has been widely discussed, but there is lack of adequate data on which to reach understanding or to make decisions.

   Therefore, that the Council request that the State Department of Education gather data through testing in the basic learning area of reading. Information on how Oklahoma is doing in this critical area will then be provided to the Oklahoma Education Council together with recommendations for further action.

4. That the Council request that the State Department of Education in its long-range study of certification give special attention to the area of preparation for teaching reading skills at both the elementary and secondary levels.

5. That the Oklahoma Education Council request that the State Department of Education encourage local school districts to limit the time lost from basic classes because of school activities.

The state department of education has proceeded with recommendation Number three. In the fall of 1977, a standardized test will be given to 15,000 students on a random sample basis in grades 3, 6, 9 and 12. The test will measure the basic skills in grades 3, 6 and 9 and survival skills in grade 12.

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OREGON - 1976, State Board of Education:

The state board established new graduation requirements in 1972 with local districts required to file implementation plans by July of 1974 for the class of 1978. New requirements were based on credits for courses, attendance and required competencies in personal, social and career areas. Districts are to develop their own performance indicators.

OREGON - 1976, State Board of Education (continued):

Revisions in 1976 still require districts to adopt competency statements and performance indicators in all areas by 1978. By then, however, districts must verify that students have minimal competencies covering only the basic skills ("read, listen, analyze, speak, write and compute, using the basic processes") in order to receive a high school diploma. Schools will not be responsible for certifying whether students have attained other competencies until the graduating class of 1981. In other words, instead of assessing goals in all program areas (e. g. language arts, health education, business education), districts will assess the reading, writing and computing skills in three programs of their choice beginning with the class of 1978. Assessments in additional areas as identified by local districts, will be due by 1981. Personal development, social responsibility and career development were originally mandated as headings for the additional competency areas, but the 1976 revisions now allow districts to choose to use these headings, or to develop their own replacement areas for them. The revisions also eliminate a clinically worded section on diagnosis and prescription, but retain the concept as an option for districts.

The plan also requires elementary schools to establish programs that offer student opportunities to acquire skills and knowledge applicable to the competencies required for graduation.

- 1977, Local District:

Parkrose School District, Portland Reports minimal competency activity.

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PENNSYLVANIA - 1976, Legislation (Failed):

HB 770 (died in committee - A 475-page proposed school code revision). The measure would require each school district to determine whether or not its students have developed minimal competencies within mandated courses (academic skills) and to measure student ability to cope with certain specified problems encountered by adults (survival skills). It would obligate the state department of education to develop a procedure to assess student performance in the academic skills learned through mandated programs and to report annually to the legislature regarding the degree of academic and survival skills attained by students at various grade levels together and to make recommendations for improving the educational program. It further provides that, four years after HB 770 becomes law, a written statement certifying which competencies have been attained by each student must become part of the student's permanent record.

- 1977, Legislation (Pending):

HB 669 This bill is similar to HB 770 which failed in 1976. It contains the same section on minimal competencies and includes approximately 35 changes in other sections of the code from the 1976 version.

- 1976, State Board of Education:

The state board of education adopted a Position Paper (Jan., 1976) on Community Learning that directs the secretary of education to put before the state board of education within 12 months a plan for public education that defines curri-

PENNSYLVANIA - 1976, State Board of Education (continued):

culum in terms of competencies students should be acquiring at various grade levels, rather than in terms of courses and credits, and that marshalls the human and physical resources of the entire community in the development of such competencies. State department of education officials are working with communities to establish competencies. Project 81 is the title given to the effort.

The Project 81 Plan was adopted by the board of educaton in November of 1976. A baseline testing instrument will be administered in the fall of 1977. Work continues on complete definition of competencies, grades K-12.

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RHODE ISLAND - 1977, State Department of Education:

In 1974, the Rhode Island Department of Education developed a Master Plan for Evaluation designed to determine how well the state educational system performs with respect to critical educational aims, and what major changes need to be instituted to effect improvement in that performance. The objectives of the Master Plan which relate most directly to interest in competency-based exiting requirements are:

1. Formulating State Objectives

   To specify high-priority statewide educational objectives in measurable terms for approval by the Board of Regents.

2. Assessing Achievement of State Objectives

   To identify and compare alternative strategies for determining the extent to which statewide educational objectives are being achieved.

By 1975, major activities had been initiated under Objectives 1 and 2, and these included:

Definition of "Life Skills" and Related Performance Indicators, a publication by the Rhode Island Department of Education.

Three cognitive skills were identified as high-priority learning outcomes for Rhode Island students: comprehension, analysis and evaluation. Since minimal competency in the exercise of the three "life skills" can be demonstrated in an infinite variety of ways, a reasonable subset of 75 performance indicators was identified by the Rhode Island Department of Education. These indicators were keyed to the Regents' Educational Goals for Education, but were developed to indicate competency in the underlying three skills and to be content independent.

These performance indicators were compiled and circulated throughout the state for public reaction in a booklet, Schools and Skills.

Construction of test items related to the life skills and performance indicators began in 1975 and approximately 600 items were produced. The majority of items

RHODE ISLAND - 1977, State Department of Education (continued):

are multiple-choice, paper-pencil format. However, open-ended items, items using audio-visual materials, and items necessitating oral responses were also developed.

A sample of the total pool of items was pilot-tested in Rhode Island schools in the spring of 1977. Results will be reported and analyzed in June, 1977.

Pilot of Statewide Assessment Program

In 1975-76, the Statewide Assessment Pilot Project used both norm-referenced and criterion-referenced tests for different age groups to measure the achievement of basic skills.

The norm-referenced test was the Iowa Test of Basic Skills, administered to a sample of students in grades 4 and 8. The criterion-referenced test used was a specially developed test of skills based on objectives and test items developed by the National Assessment of Educational Progress and the Adult Performance Level Study. This test was administered to a sample of 17-year-old students.

Depending on the results of the pilot test, RIDE items will eventually be incorporated into the criterion-referenced component of the Statewide Assessment Program. (NOTE: RIDE, Rhode Island Department of Education.)

Work on the criterion-referenced component of the Statewide Assessment Program has generated interest in studying the advisability of moving into competency-based diplomas. The spring, 1977, pilot test of RIDE developed indicators and items was designed to yield information on the adequacy of the indicators and items as measures of the state objectives and "life skills." In addition to test results and data analysis, Jason Milman of Cornell University has been engaged as a consultant to critique the indicators and items and to comment on the feasibility of using the indicators beyond Statewide Assessment, e.g., as a basis for competency-based high school graduation requirements.

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SOUTH CAROLINA - 1977, Legislation (Pending):

H. 2053 Would establish a minimum achievement-level testing program for public school pupils administered by the state board of education. It would require pupils to annually meet prescribed program standards for grade promotion and provide summer school remedial procedures for pupils who fail to meet them. For the 1977-78 school year the testing program is to be instituted only for the first grade with movement up to the next grade the following year until all twelve grades are included. (Assigned to the Education Committee to be carried over to the next session.) Note: Provision was made in the general appropriation's bill to create a 15-person task force to study this issue.

- 1977, State Board of Education:

The standing committee on textbooks and instructional materials of the state board of education is studying the issue of minimal competency testing.

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TENNESSEE - 1977, Legislation (Failed):

H 643 The Fundamental Education Act of 1977 placed emphasis on the teaching of language arts and mathematics in the elementary grades (died in committee).

S 405 Similar to H 643 (withdrawn).

H 960 and S 1240 The full text of these bills was not available as this report was prepared. A more complete summary will appear in the next "Update."

- 1977, State Department of Education:

The Commissioner of Education at the request of the state board of education appointed a task force to study high school graduation requirements. As a result of the work of this committee a proficiency examination was given (pilot basis) to high school seniors in 27 schools inthe spring of 1977.

The task force is expected to continue its work when the results of this test are available.

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TEXAS - 1977, Legislation (Failed):

HB 312 A bill dealing with proficiency testing was introduced but did not get a hearing with the House Education Committee. More information on this bill will be included in the next "Update."

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UTAH - 1976, State Board of Education:

At the beginning of the 176-77 school year, the state board of education approved changes in the high school graduation requirements. One addition to the course and time requirements is a mandate that local districts be empowered to assess functional competency as a part of local district graduation requirements. The state department of education has not defined functional competency or identified a test for local districts to use.

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VERMONT - 1976, State Board of Education:

The Vermont Board of Education, at its meeting on July 20, 1976, accepted a set of Basic Competencies in Reading, Writing, Speaking, Listening, and Mathematics while deferring action on Competencies in Reasoning for further development. The Board also stipulated that by 1981 mastery of all of the Basic Competencies is to be one requirement for graduation from high school, unless the pupil has a limiting handicap and completes an approved, comprehensive, multi-year plan.

A Pupil Progress Record on which the mastery of the Basic Competencies is recorded will be maintained for each Vermont pupil. Superintendents will report information concerning pupil achievement of the Basic Competencies to the Commissioner of Education with their annual statistical reports each August beginning in 1978. The information required in this report will vary from year to year.

VIRGINIA - 1976, Legislation (Enacted):

HB 256 (Standard of Quality Act). The constitution of Virginia calls for the state board of education to prescribe standards of quality for the several school divisions subject to revision by the General Assembly. One of the goals of education in Virginia is to aid students, consistent with their abilities, to become competent in the fundamental academic skills. Each school division is to give highest instructional priority to developing the reading, communications and mathematics skills of all students with particular attention to the primary grades (1-3) and the intermediate grades (4-6). Remedial work for low-achieving students shall begin upon identification of student need.

By September of 1978, the state board of education, in cooperation with local districts, shall establish specific minimum statewide educational objectives and a uniform statewide test in reading, communications and mathematics skills. The test is to measure yearly progress for individuals students. The Act also sets standards for career preparation, special education, gifted and talented students, personnel, teacher preparation, testing and measurement, accreditations, planning, public involvement and district policy manuals.

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WASHINGTON - 1976, Legislation (Enacted):

SB 3026 Requires that school districts, with community participation, will develop learning objectives for grades kindergarten through eight. The state department has interpreted that these objectives will be stated in behavioral terms and that the objectives will be measured for actual student attainment at least annually. Compliance with the law will be monitored through the program approval process for the allocation of state funds.

HB 1345, 1976 Requires that all fourth grade students be given a standardized achievement test in the reading, mathematics and language arts. This test was just administered in October 1976 with the results to be used by school districts and parents to compare their children's achievement level with those of other pupils in the district, the state and the nation. The law also provided that a sample of 2,000 students at the eighth and eleventh grades be tested for the same purpose. The school districts are encouraged to establish a separate test for the second grade for the early identification of pupils needing assistance in language and computational skills.

- 1977, Legislation (Pending):

Senate Substitute 2886 and Engrossed Substitute House Bill 960 both finance bills, have the potential of creating an operational and financial definition of basic education for Washington school districts. On June 1 the bills were in conference committee awaiting final legislative action.

One of the bills, ESHB 960, sets forth three criteria for measuring basic education: 1) It would define literacy as knowledge of those skills necessary to learning. 2) It would define the curriculum by program hours; i.e., in grades 4-6, it would require 2,835 hours of instruction with 90 percent of them in

WASHINGTON - 1977, Legislation (Pending) (continued):

basic skills including reading/language arts, mathematics, social studies, science, music, arts and physical education; five percent would be in work skills such as home and family life, shop, business and office education and another five percent would be left up to district discretion. 3) It would allocate the money based on a ratio of students to staff with full financing on the state level by Sept. 1, 1979. The bill does not specify a student/staff ratio but would allow this item to be included in the budget bill each biennium.

Of special interest in Washington is a court case, Seattle School District #1 v. State of Washington, in which Judge Doran, in a lower court decision, ruled that special levies could no longer be used to fund an "ample basic education." Reasoning that the legislature had not provided enough money to fund an ample basic education, he declared that special excess levies for basic education were unconstitutional However, he clearly pointed out that such levies would be constitutional if they were used to support enrichment programs.

An important point that has been missed is the declaration that education is a constitutionally guaranteed right. Judge Doran concluded, "Article IX, Section I, ...is a substantive provision imposing the paramount duty upon the state and creating, by implication, a correlative right of equal stature for the children of the state...." (Emphasis supplied.)

Although this is not a state supreme court decision, it appears that, if the decision is upheld, the future of Washington school finance will hinge on the definition of an "ample basic education." Maybe between New Jersey and Washington we will be able to define a "thorough and efficient basic education."

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WEST VIRGINIA - 1977, State Department of Education:

No formal action has been taken by the state board of education or the state department of education. The department of education is giving technical assistance for curricular changes and the identification of "essential competencies" in the various subject areas.

- 1977, Local District:

Kanawha County, Charleston Several district-wide study committees have recommended to the board of education a plan calling for a two-part high school diploma. The second part of the diploma will be a transcript listing the individual student's basic competency attainment level. It is proposed that a test be used at grades 3, 6 and 9 for the identification of students needing remediation. A high school test will be either developed locally or purchased. Reading and mathematics are the competency areas to receive first attention. Final board of education action is expected on June 16, 1977.

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WISCONSIN - 1977, State Department of Education:

In January of 1977, Barbra Thompson, the Superintendent of Public Instruction, appointed a 29-person task force to study competency based education in the fundamental subject areas of reading, writing and mathematics. The task force final recommendations will be submitted to the state superintendent in late June of 1977.

The task force will recommend three models of action the state department of public instruction might take. The first will center on local school district developed and determined competency standards with some department of public instruction (DPI) assistance in the form test item data bank; the second would make use of the intermediate school districts by having clusters of districts work together; and the third would be a research and experimentation model asking the DPI to study the issue until 1981.

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U. S. CONGRESS - 1977, Legislation Pending:

Representative Ronald M. Mottl (D), member of Congress from the 23rd District in Ohio has introduced H.R. 6088 amending Title VIII of the Elementary and Secondary Education Act requiring states to establish a program of basic educational proficiency standards before they can rec ve federal funds under this Act. The bill also establishes a National Commission on Basic Education to review state plans and set standards. (Note: Because this bill has implications for all states, the full text of the legislation is included in the Appendix.)

A second bill, H.R. 7116, identical to H.R. 6088, has also been introduced by Representative Mottl and six other sponsors.

APPENDIX

Full Text of H. R. 6088

Minimal Competency Bibliography

MINIMAL COMPETENCY -- BIBLIOGRAPHY

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95TH CONGRESS
1ST SESSION

H. R. 6088

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 1977

Mr. MOTTL introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to require State educational agencies to establish basic standards of educational proficiency applicable to secondary school students.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 881 et seq.) is amended by adding at the end thereof the following new section:

"BASIC EDUCATIONAL STANDARDS

"SEC. 813. (a) (1) No application made by a State educational agency for assistance under this Act may be con-

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sidered unless the State educational agency making such application provides assurances that such State educational agency will establish and implement basic standards of educational proficiency in accordance with the plan of such State educational agency approved under subsection (b) (4) or in accordance with applicable Federal standards. Such standards shall include the administration of a reading, writing, and mathematics proficiency examination, in accordance with the provisions of this section, to each student enrolled in secondary schools in the State involved.

"(2) Such examination shall be administered to a student during the academic year preceding the academic year during which such student completes the requirements necessary for graduation from secondary school. If such student fails to achieve a passing grade in such examination, such student shall be given an opportunity to take such examination during the following academic year.

"(3) A passing grade in such examination shall be a requirement necessary for graduation from secondary school. A local educational agency may not certify the graduation of any student who has not achieved a passing grade in such examination.

"(4) Such examination shall be designed to test proficiency in writing skills, reading and comprehension, and mathematics skills and comprehension. Such examination

shall emphasize testing the ability of a student to use and understand language and to read with facility and understanding.

"(b) (1) There is hereby established a commission to be known as the National Commission on Basic Education (hereinafter in this section referred to as the 'Commission').

"(2) The Commission shall be composed of fifteen members as follows:

"(A) three appointed by the President from among individuals serving on State boards of education;

"(B) three appointed by the President from among individuals serving on local boards of education;

"(C) three appointed by the President from among persons employed as teachers in secondary school systems; and

"(D) six appointed by the President from members of the general public.

"(3) Members of the Commission shall serve without pay. While away from their homes or regular places of business, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

"(4) The Commission shall—

"(A) establish basic standards of educational pro-

ficiency designed to evaluate the reading, writing, and mathematics skills of secondary school students;

"(B) review plans submitted by State educational agencies for the establishment of standards in conformity with the basic standards established by the Commission under subparagraph (A); and

"(C) determine whether to approve plans submitted by State educational agencies under this paragraph.

"(5) Each State agency which desires to receive assistance under this Act shall submit the plan referred to in paragraph (4) (B) no later than two years after the effective date of this section. The Commission shall complete its review of all such plans no later than three years after such effective date.

"(6) The Commission shall transmit a report to the President and to the Congress, no later than three years after the effective date of this section, which contains a detailed statement of the activities of the Commission under this section. The Commission shall cease to exist thirty days after the transmission of such report. The Commissioner of Education shall be responsible for the administration of the provisions of this section after the termination of the existence of the Commission.

"(c) In any case in which the Commission disapproves

a plan submitted by a State educational agency under subsection (b) (4) (B), the basic standards established by the Commission under subsection (b) (4) (A) shall be placed in effect in the State involved if such State desires to receive assistance under this Act.

"(d) The Commission may award grants to State educational agencies, in such amounts as the Commission considers necessary, during the two-year period following the effective date of this section to assist such State educational agencies in preparing basic standards to be submitted to the Commission under subsection (b) (4) (B).".

95TH CONGRESS
1ST SESSION

H. R. 6088

A BILL

To amend the Elementary and Secondary Education Act of 1965 to require State educational agencies to establish basic standards of educational proficiency applicable to secondary school students.

By Mr. MOTTL

APRIL 5, 1977

Referred to the Committee on Education and Labor